

Louthouse (A) Hugh Garnell

This Day was Published, price 1s. 6d.

LETTER

TO THE

Right Hon. Wm. PITT,

As Chancellor of the Exchequer;

REQUIRING HIM AS SUCH,

To do the Author Justice, in paying, or seeing
it done by others, some Back Salary that he
claims, as heretofore Attorney General, and
Judge of Common Pleas, in Canada,

And submitting to his Consideration,

Whether some Tax Bills modelled on the Plan pointed
out, would not produce much more to the State,
than what they at present do, and so be a
means of lowering the Tax on Wine,
that the Author may drink it
again at a reasonable price.

Printed for the Author, and Sold by his Appointment, at
at FENTUM's Music Shop, No. 78, in the Strand, and
at Wood's News-Shop, at the Royal Exchange, London.

AS thinking I should have a great deal of jollity in celebrating Mr. Fox's Birth-day, with great difficulty I got up the stairs, about half past three o'clock, but the grand room was filled with creatures of their own kidney, so in order to get a dinner for my 8s. 6d. I went among the crops, in the three table room, and got a tolerable good place, and a tolerable good dinner, value twenty pence.

The Chairman of that room being as dull as Momus, and myself as gay as a lark, I was soon voted in the chair at my own table where I gave the song of True Blue, and Toasts that perfectly satisfied them, and told my Lord Lauderdale that however pleased I was with his public speeches, when in the House of Lords last parliament, I was thoroughly displeased with him, a man of such high birth to offer himself for a Sheriff of London! only the messenger of my Lord Mayor; and so I made my *congé* and away I went.



A

LETTER, &c.

London, January 22, 1798.

SIR,

AFTER treating me, and what I suggested to you (when I requested the honor of your attending the Treasury Board, at a time I expected that my memorial, setting forth my claim, (and I hope well founded) for back salary, due to me as Attorney General of the province of Quebec, and as one of His Majesty's Judges of the Court of Common Pleas, for the district of Montreal in that province, as I shall in a more distant part of this letter the fuller enlarge upon) respecting how much more might accrue to the nation by new-

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modelling

modelling the acts of parliament, respecting the duty on licences to wear hair powder, and the tax on windows, with such contempt, by neither answering the several letters I wrote you on the business, and the request that I made to have a personal interview (to explain more fully than a letter might be agreeable to you to read could do) I thought it would answer very little purpose, previous to your opening your budget and mode for raising the new taxes, for me either to trouble myself or you with any further letter on the occasion, for I was then in the country, superintending a small building I am erecting in the neighbourhood of Bristol, for my future residence, in which I have made every convenient and necessary room for a family of eight to ten to live in decency, and with a little spice of gentility, and have every useful light, which I have the mortification to say I cannot bring within the compass I at first intended; for as I call it a cottage, so it should have but the light assigned by the legislature for the accommodation of the cottager, namely six; but if a skylight is to be considered as a window, it must extend to seven, else I must spoil my
fitting

sitting room, where I love to have, at my time of life, the sun from its early rising to its late setting, to have three large prominent windows in that room of twenty feet square, and consequently a great deal of light, which I can shut out by gauze curtains when I please. Now, Sir, circumstanced as I am in this new dwelling, the window light bill, as it now stands, will but very little affect me, supposing my skylight does not escape the eye of the window peeper, but supposing it does, then I shall pay no tax at all for my lights, which, as I said before, from all the glafs, through which it issues, I enjoy a great quantity of, and just as much as a family like my own, of about eight or ten wants. And had you, Sir, adopted what I had pointed out to you for your consideration and improvement on the tax as it now stands, you would have me like many others in somewhat of the like predicament, contributed a good deal to the exigencies of the state, instead of my now scarce contributing any thing; for you must remember, Sir, I mentioned in my letter (and once read my proposal to your friend Mr. Pybus, for him to tell it to you as my suggestion; and as he seemed pleasingly

struck with my idea, I thought he seemed to say he would open the matter to you); for I tell you frankly, that hearing by some friend, that the Treasury Board were very bountiful to such men as did propose taxes, that would bear the least hard on His Majesty's laborious subjects, and be productive from the higher and wealthier part of them, I did fancy a present of at least £. 500 might be the reward of my suggestion, and tho' having been a judge; yet as I retired on my *otium cum dignitate*, without either pension or any income from government, in lieu of what I had given up, I should not have been above receiving whatever you had thought proper to have allotted me (which was, that instead of its being a tax upon windows, it should be a tax upon glass used by all and every His Majesty's subjects in and about his, her, or their houses, warehouses, hot-houses, and green-houses (cottagers from £. 3 per annum and under, and cucumber frames only excepted) at such small sum per foot, as you from your sagacity and wisdom as Chancellor of the Exchequer should suggest, would be adequate to the purposes wanted, by which you would have brought into taxation (what
ought

ought to have been many years ago as productive of several articles of luxury, and of the highest nature) the hot and green-houses, and which have not yet had the notice, either of you or the former Chancellors of the Exchequer of this reign, and indeed should have begun in George the II^d. as in that reign scarce a member of the House of Commons, and almost every peer of any consequence had his hot and green-house, and the common freemen's palate were gratified now and then with a slice of pine-apple, and an octagonal part of a Melon, but see now, Sir, who keep hot-houses? why every body who keep (I doubt not what you suffer to keep carts, of which more hereafter) carriages, a hot-house, a green-house, and a carriage, are coeval, not only yourself, and the Lords of yours and every other board under his Majesty's government, but all and every the squire clerks keep them, upon the whole it is a very sensitive gratification thoroughly praise-worthy; but yet it is a luxury, and should yield something as a luxury to government, which I believe save from the duty that comes from the glass as glass they never have paid a farthing, which they should do in some way or other, to say, but a bagatelle

bagatelle of a product, and not a very great sum would arise would be arguing on false promises, for look every where round this metropolis, and almost every large city, market town, and low villages, you scarce see a house, whose rent may be from £. 25 to £. 30, and so on, up to £. 2 or £. 300 a year; but has either a hot or green-house, it is an amusement not only for the gentlemen, when at home, but the ladies who are mostly so, and tend greatly to pleasure of various sorts; but yet it is a luxury, and should be taxed, the smaller the one, consequently the lesser quantity of glass, so likewise the smaller the tax paid for it. All cucumber frames I would have go free, inasmuch as they tend to raise what are very necessary for the use and benefit of the middling and lower orders of the people, then, Sir, by putting the tax on the glass used for admitting light into the house, &c. per the foot, those farm and other old houses that we often see stuck full of windows, that admit no light at all as some of them are diminutively small, would only pay ad valorem to the glass therein, and not per window, which, for the light that they admit (compared to the lights on windows

dows you see now a days in almost every new or new-repaired building of large sashes, from the floor up to the cieling) must be deemed and considered as a very oppressive tax; and if you found the quota per foot, so as to make those little or small windows pay near to what they do now, what will not the new windows produce? an immense sum, such I conceive as will very well supply money enough to pay the interest of the twelve millions you want to borrow, and be a succedaneum for the duty you are going to abolish, I hope on what you expected from clocks and watches, as every body saw I am sure I did, what would be the fate of that tax, the same as your powder tax, which tended, and now tends to ruin the penny-barbers, so that tended to ruin the useful and ingenious set of mechanics in the watch and clock-making line, which before had suffered too much in wiiking at the importation of so many French watches, prettier no doubt to appearance than ours, but like every thing else of the French compared to the manufactures of Great Britain, very short in goodness and durability of workmanship, which has made Great Britain the great
 people

people they are. Some species of manufactures they are compared to the product of this island, like themselves to our true-hearted Britons, flimsy meagre; and though I may respect them as very fruitful in invention and design, yet as an arrogant vain-glorious set of beings, I cannot regard them but just skin deep. Now, Sir, the next subject or topic I shall touch on, which I likewise suggested to you last year, was your putting the new hair powder tax on a different footing; for I then mentioned, which I do now, that you had made a very odious distinction in mankind, by proceeding to chalk out who should, and who should not decorate their heads with hair powder, as by the bill passed three years ago no one was to do it, but those who should take out a licence at one guinea yearly expence for that part of their dress. You must have seen and observed, Sir, as I often used to hear, that you rode out of a Sunday to your country seat, near Bromley, that the apprentices and journeymen of many useful trades (too numerous to mention here) were just getting like our spruce neighbours the French, to be smart about the head, as they had been before about the heels, was
you

you offended at seeing in their carrotty and black greasy locks hid from shewing the same by powder ; and that they looked too much like gentlemen of the treasury you might have invited at your table to have assisted you, Lord Grenville and Mr. Dundas, in your computations of different sorts, one would have thought you was, else you would have known, if you had any commonsense (which is just as necessary for a Chancellor of the Exchequer) let me tell you, Sir, to have (as to have all the profound and other species of sense, with which I doubt not you abound) that if you expected to get one guinea from them for a licence to wear powder, you might as well have expected to have got money from an hospitable good old English baron, after his day set apart for paying his tradesmen's bills, when in fact the house is cleared of the incumbrance of gold, not to enter there again till till the next audit day ; so I say as they could coin no money from those people, their locks were obliged to assume the locks they formerly did, greasy, dirty, and nasty, and by that I think very hard and unjustifiable act, you ruined their hair dressers, those

useful set of men, called Penny Barbers. There I speak feelingly, for having one of that species of people, who was and had been a tenant of mine, in a little house near the Strand, and who used to pay me tolerable well ; that is, one quarter when two or three others were due ; but soon after the passing of that simple, flimsy act, I sent to him for the rent, I expected in the course of things he would pay, but lo ! behold, instead of money, he sent a message he was ruined, his customers no more came with their pence and twopences of a Sunday morning, to shave and dress, he had no custom, he was ruined. He then, or soon after owed me upwards of £.20. I saw there was no goods to seize on, no debts to take ; then, says I, make me a wig : that he could not do, unless I find the hair. No, said I, that I will not do, either give me a new wig, or I will arrest you ; that I might do, if I pleased, for he must go to gaol, and could only starve there, as now he did at home, as he did not take enough to pay common expences ; but as I threatened, he did at last make me the wig, which I now have on my head, which is the chiefest part of what I got for upwards
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of £. 20. Now, Sir, I told you, if you had new framed the act, and put it on this footing, I would, according to my observation of things, respecting the etiquette of wearing powder, have got a much larger sum than it has at any time produced, and yet every one shall wear and make use of powder, ~~have got a much larger sum than it has at any time produced, and yet every one shall wear and make use of powder,~~ and as much as they please, for the more they wear, use, and waste, the greater gains to the treasury from the product of the duty arising from starch, or that species of something from which hair powder is made, and which, as far as concerns or was used by the lower orders of mankind before the passing the act, and which must have been a great deal on the Sunday, and may be other days of the week the revenue has lost the benefit of, and which might be gained by giving such persons the liberty of wearing, and using grease of a certain denomination to be made by licence as candles are made; and indeed so should all pomatum be made, for it was from the pomatum and powder mixed I meant and aimed. At getting the guinea tax, as I should

have said, that all persons making use of hair powder and pomatum of such a quality (above the inferior one, or that bordering on kitchen stuff, I would give the lower orders of the people to use with their powder in their hair) would I make pay the tax, and there should even be degrees in that one guinea should be the least paid for the licence, and those paying, that say gentlemen and ladies; men and maid servants should not wear any scented powder or pomatum; but those gentlemen and ladies of fashion, that meant to use the scented pomatum, should pay one guinea and half for their licence they took out so to do, that would have made servants be known as servants, and gentlefolk as such; and from the rivalry of being esteemed people of the first fashion in the neighbourhoods where they respectively dwell, I am well convinced, that under the circumstances of every part of the case, the revenue would have felt much better effects from a tax, modelled as I have done it, than as it now stands, and which I yet (for the penny barbers' sake, and see their trade renewed) hope to live to see done.

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With respect to the other tax, I touched on also the equalization of tax on houses and land. I dare say you will see it but just as the good men in almost every town are now seeing so, and bringing all those lands and houses, which have been so long held in hand, and only contributed to the poor's rates, according to the rent given in now upwards of a century ago, and letting the burthen lie on those who rented lands and houses, at rack rents, to pay ad valorem, that you no doubt will, when they have finished, order half as much again to be paid by each district than what comes now from the same ; and there is no doubt those lands and houses so long in hand, and have paid so little from last century, by contributing as they ought to, paying the interest money, will give such relief to the wine tax, as to let us have wine at the dearest half a crown a bottle, instead of this enormous one of 3s. 6d. which is such a radically duty, and pretext to swear people, that thinking they cannot bring wine with any abundance as formerly to their table, they do not invite as usual, when a gentleman, like myself, comes to town to dinner, but only to tea ; for I used formerly to be invited

vited to a brother's, it does not signify
 what to dinner, and though he knew of my
 being in town for some months last summer,
 and I expected an invitation, but none came,
 so I called on him, when I knew he would
 be at home, since my coming to town now,
 and absolutely stayed till he came to dinner,
 got up and made an apology for taking the
 liberty of coming to dinner with him, he
 did not, as I should have done to him, an
 acquaintance of near 40 years, say, Why, I am
 glad to see you, we shall talk over old sto-
 ries: no, he said nothing, but I stayed be-
 cause I liked his wine. A large table, well co-
 vered of a Sunday (and if the judges, with
 their enormous salaries, compared to what I
 had where I was, and ten times more to do
 for it than they have for theirs, do not
 have people now and then to dine with
 them, who can?) and good wine, which I
 was always sure of meeting with there, so as
 he did not invite me, I invited myself, not
 because he was an old acquaintance, but
 because I was once assistant to his father,
 and did his father great services for a very
 small salary; and I yet think myself intitled
 to a dinner in a year at his table; out of his
 father

father affets, and estate to that son, this may be somewhat of an eccentric way of thinking; but as it is founded on justice, and I think I am doing right, I do not care one penny piece who I offend, by what I have suggested. Now, last of all, about the taxes, I shall touch on those nice neat chairs, which you, Sir, by your last act have given liberty to be assessed, but as carts. Astonishing, Sir, that you could do so, although I am very much interested in having it remain as it does; yet when I see almost every species of gentleman to get rid of that he paid before as a chair, and now by only writing on it the words prescribed under the act "Taxed Cart, &c." and so saving himself the additional duty between that and a chair; and seeing what fellows there are that use and drive these new species of vehicle, called Taxed Carts, in no wise inferior to any pretty neat railed chairs, I am really angry, and think, Sir, you wanted common sense and discernment there. Had I the modelling of that act, nothing with a railing of or appurtenant to the chair should be deemed a cart, or to be paid for only as a taxed cart, but a chair, and to be rated as such,

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and that the species of vehicle, called Taxed Carts, should only fall to the lot of farmers, and persons of some trade going to market with their commodities should carry no passengers for hire, and should not be used on a Sunday, as few of the persons who use a travelling light cart ever do travel on Sundays; whereas the chair or gig (now mostly rated as a taxed cart is in continual use) you would by means of that find a great addition to the revenue arising from wheels and carriages, and really for justice sake you ought to lay as light on the family, who only keeps a carriage to go in occasionally to church with a pair of team horses, or an airing, as you should lay heavy on splendid equipages, with a numerous train before and behind, travelling in state in and out of the country. Nothing of which has ever been thought of, or indeed anything that attaches particularly on great and high persons, till which is done justice will not be effectually so, and which I yet live in hopes, before you finish your career, you will yet see done; and as Buonaparte is doing every thing the other side the water, to organize the country, then that should and ought to belong to such petty princes,

and

and taking from others what they have no just pretensions to (as cases are circumstanced now) so I hope you will (as I do imagine you to be a man of business, that is to expedite matters, though I am afraid by your not rising until after nine in the morning (and which by accident I found out, and in this manner having often called at your house for an answer to the several letters I addressed to you, either to give me back the Poems I had published, or what you thought they were worth, and your porter having good naturedly (for a great man's porter, as you know they are in general, as rough as bull dogs) said, that if I would call in a few days, he would get me the answer required; so happening to call at a late hour for me, but an early one at your house, namely, at nine, (the time when the maid was mopping the steps,) I ask'd if you was in town, she said, yes, but was not up. Said I, in some surprise, what! our guardian, the protector of our land, and every thing that is dear to us, in bed now; when ten to one but the Jack Tars had ran away with the Fleet from the Nore to France; and the maid being amazed at such language at your door, went

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down,

down, sent up the porter, who came up with a very irascible face, told me he had no answer, nor could one like me, behaving so, expect one, and positively turned me out of your door, and shut it rudely upon me, which occasioned my writing to you the last Letter I ever troubled you with, complaining of his rudeness to me, for only reflecting on you, as I thought, laying too long in bed for a great minister: for how much better would it have become you, if you had had nothing else to do, but had been up to have had my case, and considered the justness of my claim there stated, and instead of sending it from your board, to the Duke of Portland, who could know nothing of the contents, have done me the justice to have given me a hearing thereon, and if my claim was well founded in your mind, as Chancellor of the Exchequer, for it was to the equity in you, and you only I appealed to order the paltry sum to be paid me, and not let it linger out another twenty years without my receiving any thing, for as to sending it to the Duke of Portland for his answer thereon (as I understood by my worthy friend, Mr. Remus, in July last, it went from

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the Treasury Board, to that new Secretary of State, for him to whom some (as I could never find out what) answer thereon, which in fact, was only sending it to die away, and have nothing done thereon, though it has not been for want of often waiting on his Grace, in Piccadilly) for as to the office, he is not like my late worthy friend, Lord George Germaine that is dead, and gone always in his place to do his duty where he ought to do, and where he did do his duty in such a manner, that none since his time, have done it equal to himself, open and accessible to all suitors; but now though I have gone to the office, numberless times, both in Lord Grenville's, Mr. Dundas, and the present Secretary of State's time, could I ever meet with one in those lofty mountainous apartments, I wish for the benefit of us old fellows, you would give the Secretary for the American department a suit of rooms on the ground floor, it would be greatly to the ease of our inflated bad lungs. So not finding his Grace there, I was advised to go to Burlington House, and there, by good luck met him at home, and was ordered to walk up to the house, no small distance to

one, half tired with walking before; but I hobbled on, was shewed into a fine parlour, and desired to send in my name and business, which I did. The answer, to my great mortification, was, that his Grace knew nothing about it, and that I must go to the office. I desired his valet to say there I had been, and was come from, and had often been before, but got no other satisfaction, than that my Memorial lay before the Duke, and I knew that if I did comply with the Duke's desire in returning to the office, I should get no forwarder by that, and I requested to get his Grace's answer to my Memorial ere I quitted town; but all would not do, and the reply was, I must go to the office. So to the office, and up those vile rascally 89 steps, which half bursted me to get to it, did I go, and when I got there, Mr. King, and all the Clerks were out. So I wrote to his Grace, of what I had furnished was true, and I considered his sending me there, but a kind of a fubbing me off from him, which I did not expect from a man of the sublimity of character as he was, as he had not been brought up to the law, as his consorts were, who by means of being initiated

initiated in the function, knew all the ways and arts of fubbing, to get rid of me, but I would wait on him, on Monday morning next; fo accordingly I went, but at that time was not permitted to go further than the hall; I fent in my name, and the Duke fent me out a meffage, that he was very bufy, and foon going out, I instantly replied, that I am firft oars for his Grace's attention, and I fhould ftay there if I ftaid for a fortnight, until I got his anfwer one way or the other, as to the fate of my Memorial, and as I was rather more vociferous on the occafion, than others might be, and the hall from the fublimity of genius displayed by the late noble architect, the builder thereof was rather vociferous, on my voice, brought down to me a large big-bellied man, which at a diftance appeared like the Duke's coachman, and who fhould it be, but an acquaintance of mine in former days, and whom I had not feen for many years, but his Grace's Law Secretary, Counfellor Baldwin, who asked me what was the matter that occafioned my being fo very noify; as the vulgar fay, I up and told him, that his Grace had fubbed me off laft Saturday from
getting

getting an answer to a Memorial before him, (mentioning it) by telling me to go to the office, where in obedience to his Grace's directions, I had been, but like the dull seats in the Six Clerk's Office in long vacation, found no one, and had now come again to his Grace, to give an answer to my Memorial, and begged he would do it, he said his Grace was very indifferent, and could not be spoke with. I told him that his being so was nothing to me, the Memorial was, and had been referred by the Board of Treasury (where I had taken abundance of pains to have it read at the Board) to the Duke, and it was with him to return it there, with such answer as his Grace thought proper to make thereon. So Baldwyn pleaded his Grace's infirmities, which assuaged my rage, when he said, come to the Office on Wednesday next, and you shall have an answer thereto. I happened that day to be at Maidstone Assizes, but went on Saturday morning, where by the greatest chance in the world, I saw Mr. Baldwyn, who said the matter was not with him, but was with King, and to King I must go; that I did not like, for that gentleman had
given

given me many instances of fubbing me off, as no one, I will fay that for his honour and credit, knows more the ways of fubbing off an unwelcome attendant on that office than himfelf ; but however, I tried to get at a fight of him early and late, both at the office and his own houfe. At laft it was reported he was gone out of town for the fummer, fo I went out of town for the fummer, wifhing all the Secretaries of State, and their underlings did their bufinefs as well, and in the fame manner, as it was done in my late patron, and worthy friend, Lord George Germaine's time. And what, Sir, is all this mighty matter, that this great Duke will give no answer to? but as I have before ftated to you, that on Mr. Heys, the late Chief Juftice of Quebec, and Mr. Kneller, the Attorney-General of the Province, abdicating the fame, on Arnold's going againft it in 1786. And coming to England, Kneller caught an Englifh diforder, and died here, in March 1776. I hearing of it, applied to my friend, Lord George, to fucceed thereto ; his Lordfhip did not at firft oblige me with the request, but remonftrated with (as knowing me) on the abfurdity of my
leaving

leaving this to settle in such a country, with so large a family, and said, he had been applied to on behalf of a Mr. Grant (the present Welch Judge of that name) who was over there, but if I thought that it was for my advantage, I should have it. I thought it so, and pressed for it; so on a levee day, about the beginning of May, he called Mr. Pownall, the then Secretary to the Board of Trade, and said to him, you are to prepare a mandamus for this gentleman's succeeding Mr. Kneller, as Attorney-General of the Providence of Quebec, and let it be worded so (as he has lost time in not getting it before) *that he may have salary from the death of that gentleman, it will enable him to pay his French master.* And on my receiving the mandamus, I said, 11l. 5s. for the same. You know, Sir, in one of my letters, I put it to your justice, as Chancellor of the Exchequer, whether I was not retained and hired here, from that instant, in my country's employ, from those words issuing from the mouth of my Royal Sovereign's Secretary of State; and I do aver, I was, and considered myself, as such. If the Spring ships had not all sailed for Canada, at that time,

time, I should have gone out immediately, but as it was too late to get passage, I was forced to wait till the next fleet went; but considering myself in Government employ, I often attended Lord George's levees, as being a Colonial Attorney-General. About the latter end of June, my friend said to me, that he had received letters from the Governor of Québec, saying, all is peace there again, and there was an end of martial law; the Governor wanted to have the law officers over, meaning Hey and Kneller not knowing the latter was dead, it was soon after, at another time, I attended, Lord George said, he had heard Mr. Hey was not to return, Lord North meant to put him in as a Commissioner of the Customs, which if he accepted, the King intended Mr. Livius (at that time a Judge of the Common Pleas there) as his successor; and if I liked that judgeship better than the Attorney-Generalship, I might have that, and gave me a fortnight to consider; which offer I embraced; then said his lordship, get out with all expedition, and your commission shall be sent after you. No ship sailing till September, I, with my wife and four of my nine children, embarked in a

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crowded

crowded transport, escorted by the Richmond Frigate, which unfortunately parting with, by means of a violent gale of wind, we at last were picked up, or made an easy prize of by the famous Paul Jones, and in December carried into Boston, where we remained till we got to Halifax in a cartel the beginning of May, and from thence to Quebec in another crowded ship the latter end of that month ; and on my going to the present Lord Dorchester, then Governor of Canada, to ask for my back salary, as Attorney-General for some time, and since that as Judge of C. P. to pay various sums I owed (incurred as debts at Boston (for as I was not put into prison, but suffered by the Council, there, to walk about the town unnoticed, and not knowing the customary way of applying for provisions, I, for want of that knowledge, made no application for the same ; and having brought out no money, was obliged to sell part of my household furniture, cloth and blankets, I had with me, for subsisting myself and family) the Governor answered, he could take no notice of me as to pay ; but on my arrival in the Province, I told him every thing that was said by

Lord

Lord George to Mr. Pownall, as to my having salary even from the day of Mr. Kneller's death; he said, as he had received no orders about it; and nothing appearing in that mandamus to warrant his paying it, and only in the usual and customary words of all pay, salaries, perquisites, to the said office belonging, I failed in my endeavours. He told me, I should memorial the Treasury, and he would represent my case; as to what was inserted in my new commission as Judge, I knew not, for I had never seen it. So, now, Sir, for a moment's digression here, from the narrative, as to Sir Guy Carleton's conduct. He said, he could not warrant paying me any thing but from my arrival in the Province; sure the mandamus warranted him to pay the salary, &c. as Attorney-General, at least from the date; and if he had paid it to any one else, he was paying to another what was my property. Had I loitered, and not come out with all expedition, he might have alledged that, as an excuse, for not giving me what I should have had to another; but I was prevented by capture, and embraced the first opportunity of getting exchanged, even for an officer of a

Privateer, which Mr. Esdaile, Attorney-General of St. Vincent's, (who had been taken and carried into Boston, some time before I had the mishap to join him, refused being exchanged, as he said, for any such rascally fet, and wondered I would do it. But the worthy Governor advised me to memorial the Treasury, and he would represent it) How I know not, but probably in the same manner he did when I applied to him, on my quitting the province, on my resignation in Oct. 1789; which though I stayed there till that epoch, and three months after the date of my resignation, so good a steward was he for Government, he would only pay me up to the date of my resignation in July.

In a letter to Mr. Grenville, the then Secretary of State for America, which I was to deliver myself, and which, after an immense deal of trouble to get at that stiff-as-a-poker-man, I did deliver, and which, when he had read, said it did not belong to him, but to the Treasury Board, and he would send it there; and I must memorial that Board thereon, which I did on the supposed contents, and attended the same till my patience
 was

was nearly worn out, by sitting so long and often in a dismal room, where nothing was heard but the continual ringing of bells, for the (coming at ten, and depart at three) clerks to go to the respective high Squires, and the creaking of their boots and shoes on an oak plank floor; but at length got a sight of another stiff-as-a-stake-man, the great Mr. Rose, who on opening my business, said it was not with him; but I said Mr. (then Lord) G—— said it was with him, and he must have sent the letter I had brought from Lord D—— I had been the bearer of, about and claiming my back salary to the Board, of which he was the Secretary; that a little bit altered the tone of that great man so as to begin to search, or pretend to search, for it, but unfortunately, by his footman's coming in, saying, Mrs. Rose was below, waiting for him in the chariot;

I knowing when a lady's in the case,
All other things of course give place.

Hopped off just as much in the dark as to the tale of that letter, as when I entered, and never afterwards could I see the great man,
or

or get a sight of the letter and memorial, which having been mislaid, I was forced to have recourse to the drawing up another memorial, which by the means of my worthy friend Mr. Ramus, was read at the Board some time in July last, and referred, as he had the goodness to tell me, as aforesaid to his Grace of Portland, the Secretary of State, in whose office, in his predecessor's time, my business was transacted, which took my memorial to that dilatory (to me) Secretary of State; the Lord help us! from uninformed dukes long come to their titles before they have acquired a habit of business, and they must have law secretaries, writing letter secretaries, (from being Secretaries of State) I wrote a memorial to the Treasury, and the Governor, as I suppose, wrote by the fall ships in 1777, and they were pleased, as I have heard say, though I never saw the orders (from living at Montreal, and not at Quebec, the seat of government) to write for answer to the Governor, that if there were not other Attorney Generals and other Judges doing duty, and not claiming salary, then I was to have what I claimed, but otherwise not. So as some how or other they made

made out there was another Attorney General and Judge doing the duty, and I not that person in each capacity had it ; but as Mr. Hey the resigned Chief Justice did not go over to resume his function, I do conceive that part of his salary from Aug. 1776, when he resigned, to May 1777, when I was to have salary from, should have gone to have paid me something at least for my Judgeship, from the date of my mandamus, which as I have understood was on or about the 22d of August 1776, and that Sir Guy Carleton might have seen, by having had recourse to the mandamus for the letters patent, when it arrived, which, from contrary winds, was only at the time I did, as Mr. Monk, who succeeded me as Attorney General, was the bearer of that fiat to the Governor, but he never told me he had it for purposes only known to his own incomprehensible self.

But, Sir, I have lately wrote to Lord Dorchester, though he has not thought proper to give any answer to my letter, that as Mr. Kneller died in this country, and not at Quebec, and I had the place given here, and his lordship must know so, from hence
his

his paying the salary to any one whom he might nominate to that office, till my arrival, was paying him out of money absolutely granted to me, under the King's sign manual, and it was incumbent on his lordship to see it restored to me, let who will have had it, and as I conceive, the before named Mr. Grant, whom I think to have heard mentioned, had acted since Mr. Kneller's leaving the country as Attorney General, I am in possession of the grant of the office, and I do say I have a legal claim to the salary, and if Mr. Grant did receive the money, and will not refund, I do conceive if the Board of Treasury or Duke of Portland will not trouble themselves to investigate into the matter, it should be referred to the Commissioners of Accounts to do the same, and in this public manner (which I should not have made use of if I could have got the satisfaction I desired by the private mode I have acted in, without effect for so many years before) do call upon you, Sir, as the Chancellor of the Exchequer, to send me before them to make out my claim, and shew them my documents as a testimony

testimony of my demand ; and as no other Judge after my resignation was named to the Montreal Bench for 2 or 3 years however has appeared, so consequently there has been a great saving to the State, I think the Treasury can well afford to pay me my demand, about £.480, for as to the interest which has been accruing for upwards of 20 years, I subscribe that, in these necessitous times, for the benefit of the State, being a thorough well-wisher thereto, and have the honour to subscribe myself,

With all due respect,

SIR,

Your friend or no friend, just as your public conduct attaches me, but the humble servant of no one (except that of a beautiful, amiable, well-bred woman)

E. SOUTHOUSE.

F

POST.

POSTSCRIPT.

P. S. When you write to the Emperor, be so kind as to tell him, he has put me (as one of the creditors of the three millions and a half loan) to a very great inconvenience, and some expence, by not remitting the money to pay the half year's interest, that became payable the first of November last. But I must tell you how I came to be a creditor of, or interested in that loan. Last summer, I sold my lands in Bedfordshire, to one 'Squire Sowerby, in the Country, but an Insurance Broker here in London, because he (although as I thought I had got a pretty high rent for them) offered to give me money enough, that bought into the stocks would double the income; from the estate, to tell you the truth, egad, I was afraid of venturing my land in the stocks, because, some of the Crops told me there must come a sponge soon; but I not being of that opinion, and to convince the Crops I was not so, let S. have the Estate. I was to make him a good title, and he be at the expence of his own conveyance, so as he would not employ a person named by me as the attorney to pass the title, thinking it would save expence to let his attorney's agent, one Townsend, in Staple's Inn, though I should have dreaded that Inn, as there lived that rascally Irish attorney, who on my calling on him about getting Hamilton Rowen arrested at my suit, had asked me to dine with him, I then up and told him about one Riley's taking me in, and swindling me out of nine guineas for a glandered poney; and that Irish attorney knowing Riley, said he would enquire and find him out for me, that I might prosecute him; which he never effected, and though I did not employ or desire him to do any thing in the matter, because he could not make out a bill large enough to take all the money he recovered from H. R. he charged two guineas for his endeavouring to find Riley, so I might well say I got my debt, but I spent all or more than the money for the recovery of it.

Townsend

Townsend was employed on both, but one Hogarth as clever a fellow, a knowing one in the law as the great man of that name was in his way, did the business; now at the end of the matter, what with one attorney and another, upwards of One hundred Pounds, went out of the purchase money, that galled me to the quick, to think that for nothing at all the estate having been for all this century and years before in the possession of my ancestors, on my grandmother's side, and no incumbrance thereon; but Mr. Wiltshire, the purchaser's lawyer deemed it necessary to have copies of a bill, and answer in Chancery, about a partition, (though I was at the expence of near four pounds for an attested copy of a decree, wherein the bill and answer were recited) which cost me upwards of £27.

So Townsend's bill being near £70, I did take the trouble of reading over and commenting on it, and said several articles were highly charged, and others should not be charged to me, and among others, some articles amounting to near £3, for stating a case for Mr. Butter's opinion whether the purchaser might purchase under the title as it appeared on the abstract. I told T. that could not belong to me to pay, but should be put to Mr. S. but he was one of those lawyers called mules, he would have his own way, and as S. would not pay me the purchase money 'till T's bill was paid, I was just on the point to give up my opinion, when in came Master Hogarth, and as he had altogether transacted the matter with me, I told him of the disputed articles in the bill, and that the fellow said those article were not intended to be charged to me but to Mr. S. So by looking over the bill, and knowing what I should pay as appurtenant to the title and what not, I saved myself near £3. which an ignorant man would not have done, so the purchase money was paid, and most part of it laid out in the purchase of the stock called the Imperials, because at that time it was 3 per cent lower than other funds.

Being about three months ago a little short of cash, I called in at T's and asked him to lend me two guineas, and he should have them again when I received my dividends, which with much to do he advanced it.

I went

I went into the country to look after my building, and with the wages I gave the workmen, I gave them good beer twice a day, that occasioned me before the end of October to contract a debt of near £16. with one Snelling, a brewer, at Bristol; he sent me in his bill, and a letter, wishing to have the amount; I told him, when the interest on the Imperials was paid, he should have £10. in part, and I understanding from a very smart man, a gentleman in the 4 per Cent office, in the Bank, Mr. Ripp I had employed as my broker to buy my Imperials, and was so kind as to become my attorney for receiving my dividends, that it would be paid very soon; but to accommodate Snelling, I offered, if he would be contented with £10. in part, I would give him my bill of exchange on the smart man, naming him, (who I did not doubt, would accept it for £30. payable three weeks after, if he would give me change out of it in cash; as he said nothing against my proposal, I went away, left my bill that he might send it to London and get it accepted, and mentioned when I should call for the remainder of the cash) but when I came next time, I found this dealer in grains had made out the account, and only given me change as taking the whole of his bill of £16. instead of £10. I had agreed he should take in part of his bill.

I wrote to advise my friend in the Bank of my drawing on him for £30. and hoped he would accept to pay it out of my Dividends he was soon to receive. He answered that as the Emperor had failed in remitting money to pay that interest, it would not be paid till late in January; he was put to great difficulties, as he had laid out his money in the same fund, and he could not accept my bill. This put me in a terrible rage, both with the Emperor and my smart jemmy friend, and wrote to him again to desire he would accept my draft, saying, if I could not raise money to send him in cash to pay it when due, I would sell some part of my Stock, but all would not do, my hard-hearted friend would not, so I was forced to have recourse to borrow the money elsewhere to take up the accepted bill, and save my honour, for which no doubt I paid an interest, though no *douceur* thanks to Sykes and Smith for that favour.

So

So coming to town last Sunday, and walking down Chancery Lane, about Thursday last, who should I see but Mr. Hogarth, who said Mr. T—— expected I would call and pay him the two guineas; tell him, said I, (which was a fact) I had not yet received the dividend out of which I was to pay him, besides he had charged enough, he might well wait, and I had some thoughts of getting his bill taxed, for I always protested against that heavy article of £ 27. for the copy of the pleadings in Chancery, and which honest Hogarth allowed might have been dispensed with, as I had offered to covenant, that should there be occasion for them, I would bear the expence, by the money vested in S——, and my joint names, as an indemnity, till a fine I had been at the expence of levying, could operate against every claim, not on that estate in particular, but on others not legally divided, (and yet will, if possible have taxed) which I suppose so displeased that hard hearted lawyer T—; when I came to my lodgings, about three o'clock on Saturday, I found a note from that lath of a lawyer T. desiring in a civil manner, and as became him, to pay the two guineas.

Almost before I could get into the city to get my money from my jemmy jessamy friend who had received it, comes a young man, asked if I was Mr. S. yes, "Oh here's a letter for you, and here's the original," and off he hopped; on opening it, found it what was called an attachment of privilege, as an attorney of the Common Pleas, for which I hope the Lord Chief Justice, and other worthies, my brethren of the Common Pleas bench will take the privilege, liberty and licence to order that fellow T. to be struck off the roll for such hasty proceeding; as bad pretty near, as the foot-pad, who just after he tells you to stand and deliver your money, knocks you down before you can do it. Now I suppose if I do not pay the two guineas before Tuesday, the first day of term, over and above twenty-five shillings, the costs of this attachment of privilege, I shall have forty or fifty shillings to pay for a declaration.

Now, Sir, you see by my long *P. S* how I have suffered in my pocket and credit, by the Emperor not paying the interest of the loan, and probably where I have suffered

suffered forty shillings, others may have £100. so pray desire him to be a little more punctual (as you, I will say that for you, are very punctual in the payment of the interest on the other funds) in his next payment, unless his Emperorship means (which is a matter seriously to be wished) to pay off that loan out of what he may snack with the French, from the rich Hamburgers. And so Sir, *bon soir*, for the bell tolls for vespers, and having been a naughty boy in not having gone to church to day, I am going there, liking the apparent solemnity of a lighted church to go to in Winter, and the matins just as day breaks in the morning.

N. B. I am not for your abolishing in toto, the tax on watches and clocks, for all persons (not apprentices or journeymen to handicraftsmen and masters or lodgers, &c. renting any tenement above £5. per annum, or of more than five shillings per week for his or their lodging) I would have continue to pay, but I do most humbly beseech you to take off one half of the last tax you laid on that dear charming *bon vivant* circling glass of port wine, so as we may drink it at home for half a crown a bottle, and not at three shillings and six-pence, considering the scanty measure I get from Snook a taylor looking wine-merchant at Bristol, and then I will cease singing the following song, and adopt some lines *vice*, in praise of you:

A SONG——Tune, *Vicar of Bray*.

IN George the Second's golden days,
Port wine we had in plenty,
Twelve quarts a day a man might raise,
With shillings less than twenty.

*And this is Law, I will maintain,
Unto my dying day, Sir,
That whatsoever King may reign,
I'll have my bottle a day, Sir.*

When

When George was dead, George Gr-nv-e came,
 America to plunder,
 And all men said he was to blame,
 He parted us asunder.
 Great Britain's empire still may rue,
 The burthens all men share, Sir,
 How to lay taxes N-rth well knew,
 He did not Port wine spare, Sir.

But this is law, &c.

Next P-tt with vile perfidious France,
 Form'd a commercial treaty,
 Those dogs have led us many a dance,
 They play their tricks so neatly,
 This treaty served but to deceive,
 It made us drink the deeper,
 And all were dupes that did believe,
 We should have wine the cheaper.

But this is law, &c.

Pitt's Port tax is a bitter pill,
 It is a tax indeed, Sir,
 Fill what you will, and nothing spill,
 'Twill make your pocket bleed, Sir.
 May Pitt like Tantalus be set,
 With wine up to his chin, Si r
 And never may his lips be wet,
 Nor take one drop within, Sir.

But this is law, &c.

But now 'tis time my song to end,
 I'm sure I mean no harm in't,
 To Pitt I was a generous friend,
 And never sought preferment.
 Then let us sing, God bless the King,
 Long health from year to year, Sir,
 So fill your bumpers gaily round,
 Tho' Port wine is so dear, Sir.

For this is law, &c.

If

If I mortgage my old shoes and boots to my printer, until some profits arise by this letter, I must add a little yet to the P. S. and tell you, Sir, that although Sir Grey was so callous, ah! as callous as my royal master to my grievances complained of in my memorial I presented to him about four years ago, setting forth, that his secretary of state Mr. Dundas was just as idle and inattentive to my solicitations as the Duke of Portland since, and the King was graciously pleased to give that, my memorial to his equerry Colonel Somebody, who put it in his pocket, and deposited it no doubt, with the other long memorials to his Majesty, too long for his gracious reading, when somebody sells them for wrapping up candles in, to my necessities yet the *bonne homme* Frazer, (a very worthy Scotchman, for among all I know of mankind, I have not known better men among those of that part of our country) save and except the present Lord Elibank, who after paying me an annuity of £50. per annum, (for which on his seeking me by public advertisement, and not I him, I gave him more than a valuable consideration for, and which by his bond he is bound) to continue to me and my executors, &c. while he lives for several years and up to Christmas 1793. On my writing in January 1795, to put him in mind of a year being due, he had the hard-heartedness (as he knew it was part of the little matters that I had selected for sustaining me and mine on my *Otium cum Dignitate*) to write to me that he had assigned his estate to trustees for the benefit of his creditors, and I must go for further payments under that, but as his Lordship had never previously asked me to come in under that deed; I wrote to him that I would not, nor will I, but that I meant to bring myself and family to live with him at Darn-Hall, till we have the *Quid* for the *Quo* he owes me; so my Lord have at your beef and mutton and Scotch claret next year, and I am told Darn-Hall is a very pleasant place, and besides his Lordship will teach me and my daughter the Art of Archery, which we are at present novices in.

In consequence of a letter of introduction from a stranger to me at Portsmouth had given me this *Bonne Homme*

Homme, and who by the bye took the Bonne Homme in for £50. lent him at Q. before his departure for England, not only given me the use of his house for me and all mine, but provided me with money not only to pay the expence of the voyage from Halifax to Q. but to get to Montreal (for which I gave him my thanks) and was afterwards very kind to me and my wife, when I accompanied her to Q. in her way to England (as she wanted to see her younger children) as by being so long on the sea to get to Canada, minded (although war time) the crossing the Atlantic, no more than a bold woman does the Thames, for there are some timid creatures of both sexes are really afraid of venturing their carcases even on the smooth water, as useless beings in their way (as I have found his Grace of P. in his way to me) and insisted on being the bearer of my memorial, being a matter of such importance to us, knowing what I had borrowed in England to fit us out for the voyage! in Boston too for subsistence, when we had sold all we could spare, and could sell no more) to Lord George to present to the Treasury, but in that his Lordship would not move a peg, (for which I ever did, and ever will think him just as blameable as he was at the battle of Minden, in not understanding what I understood as clear as day-light, that he should move forward with the cavalry to sustain the brave infantry then in action, but he would not, because Prince Ferdinand knowing I suppose that he wanted good spurring up, sent one after another, two or three aid du camps, all tantamount to the same message, but to go different ways, so he thought proper not to move at all, but stand still, by which he lost an opportunity, as many other great and high blooded commanders before and since have done, of gaining a complete victory) so because Lord George would not speak to my Lord North on my behalf, what he ought to have done or indeed done any thing in that matter for me, who from my honesty at the famous contest at Hythe in 1767, and 8, as to who should have that Borough, Government or the Sackville family, and I thinking that they got it originally from the first Duke of Dorset's being so long Lord Warden, and not from any other right, I

G

told

told him, if he was to spend £10,000 he would never get it; so his Lordship listened to what I said, and at the risk of losing the regard of his high friends, not the friends of the new Lord Warden, gave up the contest, sending me however for his honor's sake, with his purse to reward every freeman, staunch in his interest, which I did, and considering the few hundreds I paid, to what I might have paid supposing I had said nothing about his not going on with the contest, I thereby saved his Lordship many thousand pounds, and I must remark here, that there were more men of integrity among the lower orders of freemen at Hythe, by sticking close to the Sackville family, who had as they said, been kind to them when they wanted their assistance; it would be hard then to leave the family, when they wanted to make use of their votes, being contented with a very small sum from me, when they could have hundreds from the other side; and it hurt me much the other day, when I went to honest James Higham, a barber, at Hythe (whom I know had been displaced by Lord Holderness, as a gunner at one of the neighbouring castles, for sticking staunch to the old Sackville interest, and for which he was promised he should receive an annuity equivalent to the salary lost, till he was replaced, which had not since the death of Lord Sackville been paid him, and he had then a sick wife, and had been so almost ever since that famous contest, having been by some person or other frightened into fits, and remained a dead burthen upon his hands for only a barber's shop to maintain. I mention this circumstance, hoping some of Lord Sackville's descendants may come to the knowledge of that man's claim, and now give him something for his and his wife's maintenance in their old age)

So his Lordship not moving as I said before, a peg for me, occasioned my wife only to obtain a letter from the Treasury-board, as before mentioned to the Governor in Canada, which produced nothing. But her voyage produced the most disagreeable to me of all disagreeable things, the loss of that wife to me, and the loss of a mother to her children; and the money borrowed for my voyage, &c. laid on mortgage, which the sale of some part

part of the mortgaged premises, since I quitted Canada went to pay.

I was sorry while I was at Q. to observe what NUTTS it were to the Carltonian Friends, when they heard of Burgoyne's disaster, he and the Artillery had experienced in their march towards Albany, thinking, and I believe true, that if their general had his command, he would not like him have loitered so long, or taken half the time, in dining off Plate for him and his ladies, nor have taken half the artillery with him, that Philips was entrusted with as General, and knew well there was nothing to bombard, and 'twas pity he did not advise the other General of Lord George's nomination for the expedition against Fort Stanwix to take something of a field-piece with him against that Fort, as for want of something of that kind there, and the Indians coming up and telling a lie of the desperate Arnold's being near them, frightened them and that army to run away from that place, (which Sir John Johnson, next in command to St. Ledger, wanted him to rally and attack the Fort next day, ah! even with his own regiment only, but St. L. would not consent, saying the men were too much harassed with yesterday's work; so from the want of artillery with St. L. and too much of it with B. I impute the miscarriage and loss of those two armies from M. in 1777.

You know, Sir General C. was so displeased with Lord G. at not having that command to affect a junction with Gen. Howe, at Albany, that he resigned his employment. O! what pains at M. were taken to get many to sign (as I thought) a fulsome address to his Excellency on the transcendancy of his government while there; it was brought to me, and I properly pleaded an excuse, for I said as I had been so short a time in the Province, I had had no opportunity of seeing his great exploits as a civil governor, so would not sign; had it been any thing respecting him *en militaire*, as he was always in boots, and looked so much like the picture of Charles the Twelfth of Sweden, I would have signed any thing *ad testificandum* of my thorough approbation of him there. And when I passed to England in 1781, I was not unmindful of our
quondam

quondam governor, (though he had never served me in any thing) but called on to pay my respects to him, (and which visit, as I was a Judge, then he politely returned) when he asked me if I had been a Detroit yet, (shewing by that as if he had remained Governor, he would have sent me there with as good or better salary than mine at M. for every one must allow that however parsimonious he may have been in the economy of his own household, he recommended bountiful salaries to the civil officers of his Majesties government in Canada, to prevent them from looking to fees from other matters with which they had no concern. So you know, Sir, he rested here as Commissioner of Accounts (and an excellent good one I doubt not but he was) till your time, when you made a Lord of him, and what do you think St. L. said of that act when he heard it: why, though the King might make a Lord, he never could make a Gentleman of him, which was certainly very severe, for though the Governor had not politeness, he was always looked upon to be a worthy honest man, but brought out with him a something of a polite popinjay of a Major, that did the etiquette of politeness for him in full force on all occasions, and is now Governor of a place where I should like to be, and I should think just as well qualified for it as he) and sent him out to us again in 1786; my brethren, like many others, hurried down on his arrival, to congratulate his return to that country; it happening to be in October, one of the worst months in the year for travelling, I did not go, so I staid till next Spring, and then went down, and when there was something of a clear sun even at Q. I took my son, a Midshipman in the Royal Navy with me, and went as usual to the levee to pay my respects to his excellency, we both were as usual, asked to his dinner and so being minded to stay over my Royal Master's birthday, and at chapel to hear an English clergyman perform the service (which was seldom the case, as the chaplains to the three garrisons of Q. three rivers and M. were all foreigners, and an Englishman could scarce understand what they said) so his Lordships popinjay came tripping after me, and said Lord D—— expected the honour of my company at the Chateau, on Thursday next the King's birth

birth-day, but as to the young gentleman, my son, who was then in the 24th year of his age, and 7th year of his service in the Royal Navy, there would be no room at the table, who as I have heard say, has a great sum allowed him for a dinner on that day, was deprived of drinking his royal Sovereign's health, because it was said there was no room.

But I am sure, that when I went there at the time appointed, I found there was room sufficient, if it had pleased the Governor it should be so, and a place should have been allotted for him, and others in his station, if any there were, instead of a parcel of Roman Catholic priest's musti's of merchants, and a brewer of spruce beer. I was soon tired of my seat, for the King's name was not once mentioned, till long after the cloth was taken away, when the popinjay of a Major, in a little kind of simpering way, said, gentlemen, the King, as if he was afraid his excellency might be disturbed. That is the manner of keeping the King's birth-day at the Chateau; and I suppose with the grandees, at their public dinners in England. (Save that I do imagine from the jovial countenance of Dundas, that he toasts his Majesty as I would do, in a half pint bumper, immediately on the cloth being taken away on that day) So I soon popped off, and told all at the coffee-house of our sober-sided entertainment, and drank the King's health at my own expence there, in lime punch, and kept it up till the day was passed. So in the ensuing autumn, his Highness, Prince Henry came among us, and by means of him we had a ball and a supper, and grand doings at M. and I had the honour of handing down to supper, the very good kind (though not very beautiful) lady, our Sheriff's, that is the server of our process, Grey's wife, by the appointment of the poppingjay to that grand *fete*, where his Highness was disposed to be very merry, and to make us all laugh.

I was a little disconcerted a day or two before, by my not being suffered to read the English address which my brother Frazer read, (as I thought, too much in the Scotch accent, and if I have any talents at all, I conceive it to be in the art of reading) to his Highness, after
going

going to see the Indians of Cocnawagah, departed from us, with I doubt not, the hearts of all the young ladies he had honoured by dancing with, as nobody can but say he dances as lively and gay, and keeps up a conversation as any one can do, and becoming the son of my late Royal Master.

So in the year 1788, having some business in England, I applied to his Excellency for leave to go there, telling him what it was upon, and that I would be out again by the Spring ships, so his good natured Lordship gave me that permission, on condition, if there was a third judge wanted at M. in my absence, one of my half brethren at Q. must at my expence go to supply my place. It so happened, which it never happened before, and probably may never happen again, that there had been a cause instituted by Madam F. (the spouse of my whole brother F.) so he could not act, and a very distant relation of my other brother, the French judge, so he would not act, so one Monsieur Sanguinet was made a judge, *pro hac vice*, to decide with me on the matter, against the estate of her father (which in fact was an insolvent one) for her, as the primo genitu of a noblesse to be paid something considerable out of his effects, for her paraphernalia, which the law, and all the advocates at the bar, said she must have, and was entitled to. I wondered at it, as the matter was arguing, before I quitted in 1788, it seems the demanders wanted the judgment of the court in my absence, and no doubt, wished to avail herself of the great abilities of one of the judges at Q. (as I had shewn a disposition to ride rusty to her demand) so the worthy Mr. Dunn stood first on the rostra for that journey, and up he went, in March term, 1789, but when he came there, something or other (as there is always something or other in the French causes to delay an adjudication) prevented the judgment being given; but when I returned in Spring, I found I had £29 or some such sum, to pay for his journey, for doing nothing in my absence, as when I came to M. I found this complicated cause remained just as I had left it, so being pressed in the next July term for judgment, and Monsieur S. assuring me, however abstruse it might be in my opinion,

opinion, it was very clear by the French law, the lady's demand was right, and I consented to his pronouncing the decree as he had drawn it up, which when recorded, I told the Court that after finishing what was before me, to give a judgment in, I should resign my function, and wrote to Lord D. on my intention of so doing; I was induced thereto, not only from that, but from other *outré* matters in the Court, and besides, from the effects of the investigation into the Judges conduct, as to what law they determined on, and my brethen leaving M. to attend that investigation, as summoned so to do, by and before the Chief Justice at Q. it had left such a heap of causes, like the Augean stables, that as I thought it required more than a man of my abilities to clear, for F. being infirm, could not attend such extraordinary matters, and R. from being offended at what Monk, the Attorney General had said against him at the investigation, he would not work more than the usual hours, and withall being as I thought I had reason to be, a little offended with Lord D. for having given away, during my absence, the Chief Justiceship of Detroit, to a Yankey, who, when I sailed, was one of the most impudent and overbearing of our Council at M. bar, and lo! behold was above me, both in salary and consequence, as being at Detroit as a Judge in criminal matters, at a salary of £750. per annum, so I came over to my own country, preferring to live here in peace and quietness, without noise and bustle, (as much you may naturally conceive there was, in so large a district as Montreal then was, extending from three rivers up to Detroit, near 700 miles, and the inhabitants composed of French, Germans, Scotch, Irish, Yankies and English, and in whose respective languages, as no interpreter was allowed by Government to the Court, each Judge should severally know their respective dialects, as I conceive the Judges appointed for the Welch circuits should know that of the Welch.)

Considering

Considering myself in the full zenith of my abilities, and in excellent health, I did not at first ask Lord D. to recommend me for a pension, but at the instigation of very particular friends, at M. I did in about a week after write to his Lordship on that head, but the wary old governor treated my application as it deserved, by not choosing to do any thing in the matter, for I expected he would have said, what I think became my late royal Master to have said to that great in abilities Lord Chancellor T—w when he resigned; go man and do thy functions where thou givest satisfaction in both capacities, and I have not a man of the law belonging to me, that looks at the Chancellor and the Speaker as you do. As to your not agreeing with my favourite young man in politics, I will dispense with your council there, and when the gout has taken such possession of your toes and hands, that you cannot perform your function, and that you and Mrs Humphries may live as you have hitherto done with economy and comfort; it will be time enough then to have a tellerhip, or pension, but that I will have you do your duty as long as you can; and I could heartily wish, that his Majesty would be pleased to make all his state officers do their duty; for instance, make that proud thy duke my old acquaintance D. do his duty, by attending each day at the sideboard, and giving out the wine his Majesty thinks proper to drink; and every one in that and every other department, and particularly the Master of the Horse, was I King, would I make attend me in all my rides (hunting only excepted) and as the King is growing in years, now I should like before I die to see him have Sion House (if he could agree with the Duke of Northumberland for it) which when enlarged, would make a noble palace, and look well from the river, and a convenient distance from London to go in state in his Coach and Eight, as his Grand father did, attended by the Master of the Horse in his chariot; and to unite Richmond Gardens, so as to make those the pleasure grounds for the palace, I would recommend the King to encourage the Iron-Manufactory, by throwing a light iron bridge over the Thames, which the King may use whenever he likes, and so go to London over Kew Bridge, instead of through Brentford, to the affrighting of all the old women in their market carts who must get out of the way when the King is coming, and many a dram of gin do such affrights cause them for their spirits sake to take; then would his Majesty by travelling in state, like his royal grandfather, look like, a monarch, and
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we his subjects should see something of shew (which I likes) for the large allowance made to the King for his state.

Eer I close my narrative on the M. business, I must tell you, that there were at one time, six judges instead of three the establishment paid salaries to, and a pension to a superannuated one, belonging to the M. Bench. The pension was a Mr. Martelle, who with F. and R. had been judges previous to 1774. Mr. M. finding ill health coming on him, and not having saved any thing, he applied and had granted a pension of £200 per annum for the lives of himself and wife. On that vacancy, Mr. Livius was appointed from home in 1775, on the account of Messrs. F. and R. not having conducted themselves to the liking of General Worcester, they were at the latter end of that year sent off to the colonies, and Mr. F. got such a cold in his leg by it, that I believe occasioned his death; which happened within these two or three years; when the rebels were drove by the 29th. and other regiments out of the province in 1776, and the civil law again took place, the Bench were composed of Mr. Livius, a Mr. Owen, that had come out the preceeding year from England with a mandamus as Judge at D. at £. 400. per Annum, and Mr. Owen, knowing what a long while it would take him to get there, got it inserted in the mandamus (though it was not done to mine) that he was to have salary from the date.

In consideration of his good services in the city, when Montgomery and Arnold attacked Quebec, he was, when the Court was established at M. appointed one of the Judges thereof, as was a Monsieur Taschereau the like, by the Governor to supply the vacant seats of the Bench of F. and R. sent into the Colonies, and with these Judges it remained all 1776 (when I on the presumption of Mr. Heys having vacated his Chief Justiceship, and Mr. Livius appointed thereto, was appointed the Judge of C. P. in L's stead, and all those (except myself) as I'll aver, were receiving salary as Judges thereof, and I believe at £. 500 per annum, when I came from Boston to Halifax, in May 1777, I found many transports there waiting for convoy to Q. and in one of the ships were what were afterwards my brethren of the Bench, and very worthy men they were (as I ever will speak of them with the greatest estimation and regard) Messrs. F. and R. and we all arrived at Q. at the same time, and Mr. L. assuming the Chief Justiceship of Q. in consequence of the mandamus arriving at that time, and not before, only on account of adverse winds, as it left England the September before I took my seat on the Bench in his stead, Mr. R. instead

of Mr. Taschereau, but poor F. was left out, the Governor not liking, as I heard, that the gentleman of his nomination Mr. Owen the Judge protemporary should be removed, but in the end he was, for Mr. F. went to England in the Autumn, told his case to the Board of Trade, got reinstated, and as I have heard say, an order for all his salary, and Mr. Owen was obliged to quit the Bench, but the Governor got him, as I understood, half-pay, either as Judge of C. P. or Chief Justice of one of the Floridas, Owen having been Att. General in that country, which half-pay he lived on with Mr. Cramate, the Deputy Governor of Canada, for several years (but are now both dead) near Exeter.

You see, Sir, I have made it out, that all those Judges were paid the full amount of their salaries as well those doing the duty, as those sent prisoners in the States. Here it necessary to add, that Gov. Haldimand received back salary as Governor of the Province for ten months, from the date of his commission in September 1777, to July 1778, when he arrived in the Province £.1700 odd.

Now I come to summing up the matter, and to tell you, Sir, that imagining neither you or his silent Grace will think me of consequence enough, to interfere in my long distant claim; I hereby appeal to the decision (of what I esteem far beyond any opinion of council) of the honest, candid, upright authors of the Monthly, and other Reviews, requesting they will honour my Pamphlet with their perusal, and taking for facts what are certainly as stated, give me their ingenious opinion, whether I have not an equitable claim on my country for salary on my respective appointments, from the time the first was, by order of the King's Secretary of State, to take place up to the time the other did take place, and on that from its date to May 1, 1777, the time the Governor said I should be considered as put on salary, and if you are of opinion I should be paid those salaries, my next step shall be to petition my country, (not those before I have done, without effect) this is Parliament, well hoping to find a better advocate for me than my old acquaintance Mr. Hussey, whom I mentioned the matter to about four years ago, and would have done it then, but being no citizen of Salisbury, he pretended to have matters of too great concerns on his hands to attend to my grievance, however I may set him down as an independant man, I do not that of a philanthropist.

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